

## **MINUTES**

### **HUNTINGTON BEACH PLANNING COMMISSION**

**TUESDAY, AUGUST 28, 2007**

**HUNTINGTON BEACH CIVIC CENTER**

**2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648**

**5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)**

#### **CALL PLANNING COMMISSION MEETING TO ORDER**

**ROLL CALL:**        *P*        *P*        *P*        *P*        *P*        *P*        *P*  
**Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley**

#### **AGENDA APPROVAL**

**A MOTION WAS MADE BY DWYER, SECONDED BY LIVENGOD, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF AUGUST 28, 2007, BY THE FOLLOWING VOTE:**

**AYES:**            Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley  
**NOES:**           None  
**ABSENT:**        None  
**ABSTAIN:**      None

#### **MOTION APPROVED**

#### **A.    PROJECT REVIEW (FUTURE AGENDA ITEMS)**

- A-1.    NEGATIVE DECLARATION NO. 06-002/ANNEXATION NO. 06-001/ZONING TEXT AMENDMENT NO. 06-001/ZONING MAP AMENDMENT NO. 06-001 (BRIGHTWATER SPECIFIC PLAN) – Sandra Campbell**

Sandra Campbell, Contract Senior Planner, gave an overview of the project.

Discussion ensued regarding the end date for the public review period, if any homes would close escrow before the annexation, why county codes were being followed rather than city codes, the vegetation list in the proposed plan and the issue of homeowners' association responsibilities.

- A-2.    ZONING TEXT AMENDMENT NO. 07-003 (MEDICAL MARIJUANA DISPENSARIES - INFORMATION AND STATUS UPDATE) – Ricky Ramos**

Acting Senior Planner Ricky Ramos reviewed the additional information that was requested by the Planning Commission.

Commissioner Shier-Burnett asked if our constitution states that state law will trump federal law. City Attorney Jennifer McGrath replied that marijuana is considered an illegal substance from the federal law standpoint.

Chair Scandura clarified that land use is the policy matter at hand. The best land use recommendation is what the Planning Commission should strive for.

**B. STUDY SESSION ITEMS – NONE**

**C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) – Herb Fauland**

Herb Fauland, Principal Planner, recommended continuance of Item B-1, citing the minimum requirements for public notification were not met. He advised of one late communication for Item C-1. He initiated discussion on the agenda items scheduled for September 11, 2007.

Chair Scandura recused himself from further discussion and will abstain from voting on Item B-1 (First Christian Church) citing conflict of interest.

Discussion ensued regarding the September 11, 2007, agenda items, which would include Medical Marijuana, Brightwater and First Christian Church.

**D. PLANNING COMMISSION COMMITTEE REPORTS**

Commissioner Dwyer stated that he attended the Beach/Edinger Corridor Committee Meeting.

Commissioner Livengood stated that he attended the Beach/Edinger Corridor Committee Meeting.

Commissioner Shier-Burnett reported on the Green Building Report presentation to City Council.

**E. PUBLIC COMMENTS - NONE**

**F. PLANNING COMMISSION COMMENTS**

Commissioner Dwyer complimented Commissioner Shier-Burnett on the Green Building Report presentation to City Council.

Chair Scandura thanked Commissioner Shier-Burnett on her efforts regarding the Green Building Report presentation to City Council.

**6:15 P.M. – RECESS FOR DINNER**

7:00 P.M. – COUNCIL CHAMBERS

**CALL PLANNING COMMISSION MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE** – Led by Commissioner Dwyer

**ROLL CALL:**                    *P*                    *P*                    *P*                    *P*                    *P*                    *P*  
*Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley*

**AGENDA APPROVAL**

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SHAW, TO APPROVE THE PLANNING COMMISSION AGENDA OF AUGUST 28, 2007, BY THE FOLLOWING VOTE:

AYES:            Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley  
NOES:            None  
ABSENT:        None  
ABSTAIN:        None

**MOTION APPROVED**

A.    **ORAL COMMUNICATIONS** - NONE

B.    **PUBLIC HEARING ITEMS:**

B-1.   **MITIGATED NEGATIVE DECLARATION NO. 06-008/CONDITIONAL USE PERMIT NO. 06-035/VARIANCE NO. 07-001 (FIRST CHRISTIAN CHURCH REMODEL/EXPANSION)** **Applicant:** Art Cueto. **Request:** . **MND:** To analyze the potential environmental impacts associated with implementation of the proposed project. **CUP:** To permit the expansion and remodel of an existing church complex, including construction of a three-level parking structure; **VAR:** To permit joint use parking (298 spaces) located at a distance in excess of 250 feet from the project site (at Huntington Beach High School) during the construction phase **Location:** 1207 Main Street, 92648 (southeast corner of Adams Avenue and 17<sup>th</sup> Street). **Project Planner:** Ron Santos

**STAFF RECOMMENDATION:** Motion to: "Continue Mitigated Negative Declaration No. 06-008/ Conditional Use Permit No.06-035/ Variance No. 07-001 to the September 11, 2007 meeting."

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SPEAKER, TO CONTINUE TO SEPTEMBER 11, 2007 WITH NEW PUBLIC NOTIFICATION, BY THE FOLLOWING VOTE:

AYES:            Shier-Burnett, Speaker, Livengood, Shaw, Dwyer  
NOES:            None  
ABSENT:        None  
ABSTAIN:        Scandura, Farley

**MOTION APPROVED**

**C. CONSENT CALENDAR**

**C-1. PLANNING COMMISSION MINUTES DATED JULY 24, 2007**

**RECOMMENDED ACTION:** Motion to: "Approve the July 24, 2007, Planning Commission Minutes as submitted."

**A MOTION WAS MADE BY DWYER, SECONDED BY SPEAKER, TO APPROVE THE JULY 24, 2007 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Speaker, Scandura, Dwyer, Farley, Shaw  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**MOTION APPROVED**

**D. NON-PUBLIC HEARING ITEMS - NONE**

**E. PLANNING ITEMS**

**E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**

**Scott Hess, Director of Planning** - reported on the items from the previous City Council meeting.

**E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**

**Scott Hess, Director of Planning** - reported on the items scheduled for the next City Council meeting.

**E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**

**Herb Fauland, Principal Planner** - reported on the items scheduled for the next Planning Commission meeting.

**F. PLANNING COMMISSION ITEMS**

**F-1. PLANNING COMMISSION REQUEST ITEMS - NONE**

**F-2. PLANNING COMMISSION COMMENTS**

Commissioner Shier-Burnett - None

Commissioner Speaker - None

Vice Chairperson Livengood - None

Chairperson Scandura noted how the citizens of Huntington Beach are active and involved in the Public Hearing Process.

Commissioner Shaw - None

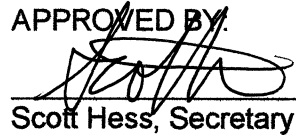
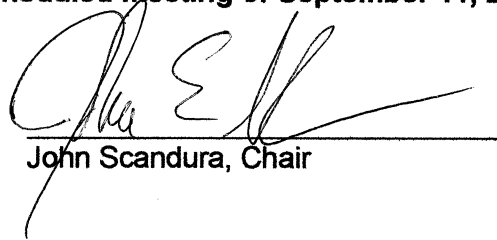
Commissioner Dwyer mentioned ZTA No. 07-003 (Medical Marijuana) may be continued from September 11 to the September 25<sup>th</sup> meeting.

Commissioner Farley - None

**ADJOURNMENT:**

**Adjourned at 7:07 p.m. to the next regularly scheduled meeting of September 11, 2007.**

APPROVED BY:

  
\_\_\_\_\_  
Scott Hess, Secretary  
\_\_\_\_\_  
John Scandura, Chair